

REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are pending in the application, with Claim 1 amended and Claim 20 added by the present amendment.

In the outstanding Office Action, Claims 1-3, 5, 8-14, 17-19 were rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Giger et al. (U.S. 2001/0043729 A1 hereinafter Giger); Claims 4 and 6 were rejected under 35 U.S.C § 103(a) as being unpatentable over Giger in view of Komiya et al. (U.S. Patent No. 5,754,676, hereinafter Komiya); Claims 15 and 16 were rejected under 35 U.S.C § 103(a) as being unpatentable over Giger in view of Guha (U.S. Patent No. 5,373,452); and Claim 7 was rejected under 35 U.S.C § 103(a) as being unpatentable over Giger in view of Cabib et al. (U.S. Patent No. 5,784,162, hereinafter Cabib).

Applicants acknowledge with appreciation the Examiner's acknowledgement of the IDS filed on June 5, 2003. However, Applicants note that the IDS filed on November 17, 2003 has not been acknowledged and, therefore, Applicants request said acknowledgement.

Applicants note that the U.S. patent application corresponding to the cited Giger reference and the pending application are commonly assigned and were commonly owned at the time the claimed inventions were made. Furthermore, Applicants submit the claims of Giger and the claims pending in the present invention are directed to distinct inventions. That is, Claim 1 of Giger recites, *inter alia*, "displaying at least one of the selected image data [from a database of images with known abnormalities] and the obtained image data," whereas the Claim 1 of the present inventions recites, *inter alia*, displaying "at least one database malignant abnormality and at least one database benign abnormality having similarity to the

candidate abnormality" identified in the claimed identifying step. Thus, in the present invention, it is necessary to display at least one of each type of abnormality (benign and malignant), as is clarified by the present amendment to Claim 1, whereas in Giger it is only necessary to display one type of abnormality (benign or malignant). In the present invention, by displaying both a benign and malignant abnormality, a radiologist can visually discern differences between alternative diagnoses. Because Giger and the present application are commonly assigned and because Giger and the present application are directed to distinct inventions, Applicants submit that the pending rejection of Claim 1 is overcome.

Regarding a potential provisional obviousness double-patenting rejection of Applicants' pending Claim 1 in view of Giger, Applicants will file a terminal disclaimer in the latter-allowed of these two applications.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870
Michael E. Monaco
Registration No. 52,041

Customer Number

22850

Tel.: (703) 413-3000

Fax: (703) 413-2220

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